

Notice of Allowability

Application No.

09/990,961

Examiner

Mark Eashoo, Ph.D.

Applicant(s)

LANGE ET AL.

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the papers filed 17-MAR-2004.
2. ☒ The allowed claim(s) is/are 1-3,5-16,18,19 and 21-28.
3. ☒ The drawings filed on 21 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

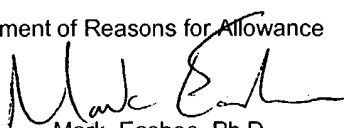
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 03/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Mark Eashoo, Ph.D.
Primary Examiner
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02/Apr/04

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-16 and 18-28, drawn to a process of forming a material layer over a conductor, classified in class 264, subclass 127.
- II. Claim 17, drawn to a PTFE covered conductor, classified in class 428, subclass 411.1.

The inventions are distinct, each from the other because of the following reasons:

Inventions of groups I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process such as compression molding dielectric material over a conductor.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with applicant's attorney, Mr. Daniel G. Mackas, on 31-MAR-2004 a provisional election was made with oral traverse to prosecute the invention of claims group I, claims 1-16 and 18-28. Affirmation of this election must be made by applicant in replying to this Office action. Claim 17 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See references listed on form PTO-892.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's attorney, Mr. Daniel G. Mackas, on 31-MAR-2004.

The application has been amended as follows:

Claim 4 has been canceled.

Claim 17, which was non-elected with oral traverse, has been canceled in order to expedite allowance of the elected claims.

Claim 20 has been canceled.

Claim 1 (currently amended) A method of forming a dielectric insulation layer over a metallic conductor of a processed product, comprising the steps of:

- a) extruding a dielectric layer over a metallic conductor; and
- b) heating the dielectric layer to a temperature of about 500°F [substantially below that of the sintering temperature of the dielectric] to form a sintered dielectric skin over an unsintered dielectric core.

Claim 18 (currently amended) A method of forming a polytetrafluoroethylene (PTFE) insulation layer over a metallic conductor of a processed product, comprising the steps of:

- extruding a PTFE layer with an extruding aid over a metallic conductor;

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vaporizing the extruding aid out of the PTFE; and

heating the PTFE layer to a temperature of about 500°F [substantially below that of the sintering temperature of PTFE] to form a sintered PTFE skin over an unsintered PTFE core.

Allowable Subject Matter

Claims 1-3, 5-19 and 21-28 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or render obvious the claimed subject matter as a whole, comprising heating a dielectric layer to a temperature of about 500°F to form a sintered dielectric skin over an unsintered dielectric core. The prior art of record generally forms the above structure in two discrete layers where a single layer that is completely sintered and a separate layer which is partially sintered (through the entire layer thickness) is joined together.

It is further noted that the amendments to claims 1 and 18, other than the limitation directed to temperature, were added only to improve claim clarity.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

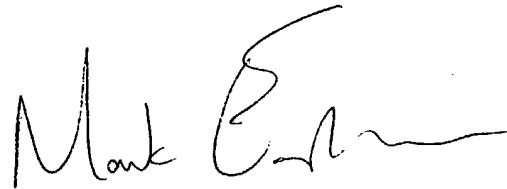
Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Eashoo, Ph.D. whose telephone number is (571) 272-1197. The examiner can normally be reached on 7am-3pm EST, Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Eashoo, Ph.D.
Primary Examiner
Art Unit 1732

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02/Apr/04